

### REMARKS

This is responsive to the Office Action dated December 29, 2006. Claims 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,980,583 issued to Staub et al. (hereinafter "Staub et al.") in view of U.S. Patent No. 5,985,385 issued to Gottfried (hereinafter "Gottfried") for the reasons of record stated on pages 2 and 3 of the Office Action. Claims 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Staub et al. in view of U.S. Patent No. 3,828,119 issued to Warburton et al. (hereinafter "Warburton et al.") for the reasons of record stated on page 3 of the Office Action.

Applicants respectfully traverse these rejections in view of the remarks contained herein. In order to establish a prima facie case of obviousness, three basic criteria must be met: 1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the prior art references must teach or suggest all the claim limitations. Staub et al. purports to relate to a method of manufacturing durable press garments by inserting garments into an apparatus capable of tumbling the garments. The garments may be impregnated with a durable press resin.

Gottfried purportedly relates to a fire and heat protection wrapping system for wrapping conduits, cable trays, transmission lines, cables, and other electrical transmission devices associated with the transmission of electricity and electrical signals, and gas and oil pipelines where there is severe exposure to high temperatures in excess of three (3) hours in duration. [See Gottfried column 1, lines 6 – 18].

Warburton et al. purports to relate to a heat resistant insulated electrical wire comprising a metallic conductor, a polymeric organic insulation surrounding the conductor and an overlying covering of a composite body of heat resistant carded staple fiber. [See Warburton et al. Abstract].

Applicants respectfully submit that a prima facie case of obviousness has not been established. Column 7, lines 25 – 30 of Staub et al. teach that a durable press resin may be heated to about 130°F prior to injection into the drum. Staub et al. also teaches that in order to maintain the 130°F temperature of the durable press resin, the main chemical storage tank can be insulated. [See Staub et al. column 7, lines 25 – 29]. Gottfried teaches a fire and thermal protection wrapping system to protect from fire and to reduce the transmission of heat. [See Gottfried Abstract]. Gottfried teaches that it is desirable to have low heat transmission to an electrical transmission device and that it is desirable to absorb excess heat generated from the electrical transmission device. [See Gottfried, column 1, lines 63 – 67]. This is just the opposite of the result that Staub et al. is attempting to accomplish by insulating the chemical storage tank (i.e.; Staub et al. teaches the desirability of maintaining, retaining, and transmitting heat so that durable press resin in a heated state can be injected into the drum while Gottfried teaches the desirability of absorbing and reducing the transmission of heat). Gottfried also teaches a plurality of concentric layers wherein the inner second layer is used for eliminating the convection transfer of heat, the inner third layer is used for reducing the transmission of heat, and the inner core fourth layer is a water jacket layer for

absorbing heat from the source of external heat. [See Gottfried, column 4, lines 23 – 33]. Hence, applying the fire and thermal protection wrapping system taught by Gottfried to the main chemical storage tank of Staub et al., the teachings of Gottfried indicate that heat would be removed from the durable press resin stored in the chemical storage tank of Staub et al. instead of retained with the resin. This is just the opposite of what Staub et al. teaches. Hence, not only is there no motivation to combine the teachings of Gottfried with Staub et al., there would also be no reasonable expectation of success.

Furthermore, with regard to the instant Office Action, referring to Page 2 and Page 3, it is stated that Staub et al. teach a fabric article treating device comprising...*"dispensing means 50 with temperature sensitive chemical component..."*. To support this assertion, the Office Action refers to column 5, lines 12 – 14. Applicants respectfully disagree with this assertion. Referring to column 5, lines 12 – 14 of Staub et al., it is indicated that *"the atomizer unit 50 injects chemicals (i.e. durable press resins used to impart wrinkle-resistant properties to garments or other articles) through nozzle 52 into the tumbling drum..."*. Applicants submit that column 5, lines 12 – 14 of Staub et al. do not teach or suggest a temperature sensitive chemical component.

Yet further, page 2 of the Office Action indicates that it would have been obvious to one of ordinary skill in the art to *"modify the thermal protector of Staub et al. with the multi-layer thermal protector of Gottfried"*. Applicants respectfully disagree with this assertion. As indicated above, Gottfried teaches the desirability of absorbing and reducing the transmission of heat. This is just the opposite of what Staub et al. teaches. Column 7, lines 25 – 30 of Staub et al. indicates the desirability of transferring heated durable press resin from the main chemical storage tank to the drum versus Gottfried which teaches absorbing and reducing the transmission of heat.

Furthermore, neither Staub et al. nor Staub et al. in view of Gottfried nor Staub et al. in view of Warburton et al. teach or suggest *inter alia* a fabric article treating device wherein the fabric article treating device includes one or more temperature sensitive components wherein one or more of the temperature sensitive components is located inside of a fabric article drying appliance and wherein one or more of the treating device's temperature sensitive components located inside of the drying appliance is thermally protected. Hence, Applicants respectfully submit that a prima facie case of obviousness has not been established. Thus, as Claims 14 and 15 are unobvious over Staub et al. in view of Gottfried and Staub et al. in view of Warburton et al., Applicants respectfully request that these rejections be withdrawn and the claims allowed.

**SUMMARY**

Applicants submit that Claims 14 and 15 are now in condition for allowance. Applicants respectfully request allowance of these claims.

Respectfully submitted,  
FOR: PANCHERI ET AL.;

BY:

  
Julia A. Glazer

Attorney for Applicants  
Registration No. 41,783  
(513) 627-4132

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Cincinnati, Ohio